

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION**

JON FREY, ANDREW PERRONG,	)	
and STEWART ABRAMSON, on	)	
behalf of themselves and others	)	
similarly situated,	)	
	)	
Plaintiffs,	)	No. 1:19-CV-02450-SDG
	)	
v.	)	
	)	
GREAT AMERICAN POWER, LLC,	)	
and NEW WAVE POWER, LLC,	)	
	)	
Defendants.	)	
	)	

**PLAINTIFFS’ MOTION TO DISMISS CLAIMS AGAINST NEW WAVE  
POWER, LLC WITH PREJUDICE**

Plaintiffs Jon Frey, Andrew Perrong and Stewart Abramson (hereafter “Plaintiffs”), hereby move for dismissal of New Wave Power, LLC (“hereafter “New Wave”) from this action, with prejudice. Plaintiffs retain their claims against Defendant Great American Power, LLC (hereafter “Great American”). Defendant New Wave has consented to the filing of this motion; Great American Power does not oppose the filing of this motion. The grounds for this motion are set forth below.

Plaintiffs and New Wave have reached an individual (not a classwide) settlement of Plaintiffs' claims against New Wave, and New Wave has performed its obligations under that agreement. Pursuant to that settlement, Plaintiffs seek to dismiss New Wave from this matter with prejudice.

Therefore, pursuant to Fed.R.Civ.P. 41(a)(2), Plaintiffs move to dismiss New Wave Power, LLC, from this action with prejudice.

Dated: February 25, 2021

PLAINTIFFS,  
By their attorneys

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### **CERTIFICATE OF COMPLIANCE**

I hereby certify, pursuant to Local Rules 5.1.C and 7.1.D of the Northern District of Georgia, that the foregoing was prepared in 14-point Times New Roman Font.

February 25, 2021.

/s/ Michael J. Boyle, Jr.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing document was filed electronically and served on all counsel of record in the above-captioned matter on February 25, 2021 via the Court's CM/ECF filing system/service.

/s/ Michael J. Boyle, Jr.

Michael J. Boyle, Jr.